

USCG/ECOLOGY MOA	Protocols Manual	Procedure: 11 Page: Page 1 of 7 Revision: 06/26/2007
Standby Emergency Response Tug Employment		

1. PURPOSE/SCOPE

The purpose of the Standby Emergency Rescue Tug Employment Protocol is to coordinate the most effective use of available Department of Ecology ("Ecology") and the Thirteenth U.S. Coast Guard District ("USCG") resources to prevent or mitigate the severity of oil spills resulting from disabled vessel situations that may threaten Washington waters. It outlines the conditions and procedures under which the Captain of the Port within the USCG Thirteenth District may request Washington State assistance through employment of the Washington State managed Emergency Towing Vessel.

2. AUTHORITY/REFERENCES

The Washington Coast and Strait of Juan de Fuca Emergency Towing Vessel capability (i.e. Neah Bay Tug) was established by Ecology to comply with Washington State Legislature mandate that the agency develop an Emergency Response System for the protection of the Strait of Juan de Fuca.

Memorandum of Agreement on Pollution Prevention and Response between the Commander, Thirteenth Coast Guard District and the state of Washington executed on June 26, 2007, Section V- Prevention of Oil and Hazardous Substances Spills:

- B. Optimization of Spill Prevention Program Resources: To the extent permitted under applicable laws and regulations, the Parties agree to optimize spill prevention resources by encouraging inter-agency collaboration.*
- 1. The Parties agree to identify areas in which the spill prevention facilities and personnel of either Party may assist the other Party's spill prevention agency resources where such assistance will facilitate commerce and mutually benefit agencies' spill prevention program goals.*
 - 2. Washington State Standby Emergency Response Tug: The Parties agree to establish an operating procedure or protocol for employment of a State managed standby emergency response towing vessel capability currently stationed in Neah Bay, WA.*

Ecology

Statutes

RCW 88.40

RCW 88.46

*Transportation of Petroleum Products – Financial Responsibility
Vessel Oil Spill Prevention and Response*

Regulations

WAC 317-10

Vessel Contingency Plans and Response Contractor Standards

Standby Emergency Response Tug Employment

~~WAC 317-31~~
~~WAC 317-50~~

~~Cargo and Passenger Vessels = Substantial Risk~~
~~Financial Responsibility for Small tank Barges and Oil Spill~~
~~Response Barges~~

USCG

Statutes

14 USC 141

Cooperation with Other Agencies

33 USC 1221 et seq

Ports and Waterways Safety Act

33 USC 1321 et seq

Federal Water Pollution Control Act

46 USC Subtitle II:

Vessels and Seamen

Part B

Inspections and Regulation of Vessels

Regulations

33 CFR Part 6

Protection and security of vessels, harbors, and waterfront facilities

33 CFR Subchapter O

Pollution Prevention Regulations

33 CFR Subchapter P

Ports and Waterway Safety

46 CFR Subchapter C

Uninspected Vessels

46 CFR Subchapter D

Tank Vessels

46 CFR Subchapter I

Cargo and Miscellaneous Vessels

46 CFR Subchapter K

Small Passenger Vessels carrying more than 150 passengers or with overnight accommodations for more than 49 passengers

46 CFR Subchapter L

Offshore Supply Vessels

46 CFR Subchapter H

Passenger Vessels

46 CFR Subchapter N

Dangerous Cargoes

46 CFR Subchapter O

Certain Bulk Dangerous Cargoes

46 CFR Subchapter R

Nautical Schools

46 CFR Subchapter T

Small Passenger Vessels (under 100 gross tons)

46 CFR Subchapter U

Oceanographic Research Vessels

International Conventions (not an exhaustive list)

International Convention for the Safety of Life at Sea (SOLAS)

International Convention for the Prevention of Pollution from Ships (MARPOL)

International Life-Saving Appliance Code

International Conference on Load Lines

International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW)

International Labor Organization (ILO) Convention #147

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3. EFFECTIVE DATE/POINTS OF CONTACT

This protocol will become effective upon signature of both parties.

The following persons will serve as points of contact for questions concerning this protocol and its implementation:

Ecology

Headquarters Spills

Prevention Section Manager, Spills Program

Phone: 360-407-7465

Fax: 360-407-7288

Mailing Address: Washington Department of Ecology, Spills Program, P.O. Box 47600, Olympia, WA 98504-7600

Spill Prevention Unit Supervisor, Southwest Regional Office

Phone: 360-407-6238

Fax: 360-407-6305

Mailing Address: Washington Department of Ecology, Southwest Regional Office, P.O. Box 47600, Olympia, WA 98504-7600.

Spill Prevention Unit Supervisor, Northwest Regional Office

Phone: 425-649-4491

Fax: 425-649-7098

Mailing Address: Washington Department of Ecology, Northwest Regional Office, 3190 - 160th Ave. SE, Bellevue, WA 98008-5452

USCG

13th District

Chief, Prevention Division

Phone: 206-220-7220

Fax: 206-220-7225

Mailing Address: Commander, Thirteenth Coast Guard District (dp), 915 Second Avenue, Room 3506, Seattle, WA 98174

Chief, Response Division

Phone: 206-220-7256

Fax: 206-220-7265

Mailing Address: Commander, Thirteenth Coast Guard District (dr), 915 Second Avenue, Seattle, WA 98174

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Sector Portland

Marine Environmental Response (MER),

Phone: 503-240-9301

Fax: 503-240-9345

Mailing Address: USCG, Sector Portland, 6767 N. Basin Ave., Portland, OR 97217

Sector Seattle

Incident Management Division (IMD), Sector Seattle

Phone: 206-217-6066

Fax: 206-217-6345

Mailing Address: USCG, Sector Seattle, 1519 Alaskan Way S., Seattle, WA 98134-1192

4. POLICIES

- It is the policy of the USCG and Ecology to closely communicate and coordinate when responding to an actual disabled vessel situation or assisting a vessel with reduced maneuvering or propulsion capability.
- As the Emergency Towing Vessel represents a significant investment of state taxpayer dollars, the USCG and Ecology consider it should be used whenever appropriate to protect the environment and prevent marine incidents from becoming accidents.
- It is the USCG's policy that a vessel determined to be disabled to a degree to represent a risk to its safe navigation or substantially threaten the environment will be required to acquire either standby towing escort services or direct towing assistance from the nearest, most suitable towing vessel(s).
- It is USCG COTP policy to require additional operational measures that may include tug escort/assistance for vessels that are less than fully operational and/or present unacceptable risk to shared waters. This could potentially include deployment of the ETV.
- If Washington State's contract Emergency Towing Vessel is the nearest, most suitable tug available to respond to a disabled vessel, it is Ecology's policy to normally release the tug from its standby obligations so that the Contractor can negotiate a contract to provide assistance to a vessel experiencing problems.
- It is Ecology's policy to release the emergency towing vessel from its marine safety patrol and training and exercise duties to respond to an actual emergency upon the request of a USCG Captain of the Port.

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- It is the policy of Ecology and the USCG that a backup tug may be contracted to restore standby capability in the vicinity of Neah Bay, if the Emergency Towing Vessel is employed under the authority of the Federal On-Scene Coordinator to respond to an emergency remote from Neah Bay (e.g., Columbia River or southern Washington coastline response).

5. STANDARD OPERATING PROCEDURES

Communications

- Upon determination of need of ETV assistance, the COTP or his designee will contact the Washington Military Department Emergency Management Division (EMD) and the Department of Ecology rescue tug contract manager as soon as practicable.
- The Department of Ecology rescue tug contract manager will communicate directly with the Emergency Towing Vessel Contracting Company dispatcher or operations manager regarding the incident and release the tug from standby duty when appropriate. He will also notify the Department of Ecology Prevention Section manager and regional PIO. He will also notify Makah Tribal Council representatives. He will maintain liaison with the COTP throughout the duration of the incident response.

USCG Task Detail

The appropriate Sector Commander, as Captain of the Port, will oversee the following tasks:

- Monitor all participating vessel traffic in the OPAREA (in coordination with Canada's Tofino Traffic Center, VTS Puget Sound, Columbia River & Bar Pilots, Merchants Exchange, etc.) and rapidly identify potential situations that may require use of the ETV to respond to emergencies.
- Upon notification of a vessel experiencing propulsion and/or steering problems, the COTP will exercise CG authority to require vessel operational controls to mitigate risk and any threat to the environment.
 - COTP procedures include immediate use of the nearest, most suitable tug assistance for disabled commercial vessels.
 - Existing Canada/U.S. Cooperative Vessel Traffic Service (CVTS) procedures will be exercised for commercial vessels experiencing problems in Canadian waters. COTP Puget Sound will continue to support Canadian authorities to the maximum extent possible, including making the ETV and/or any other suitable tug available to the extent his authority allows.

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3. Maintain voice communications with the ETV and all exercise/disabled vessels. If an incident or exercise occurs in the Tofino Canadian VTS area of operations, all communications and traffic management will be conducted by or via Tofino.

Ecology Task Detail

The Northwest Regional Office Spill Prevention Unit Supervisor will oversee the following tasks:

- A. Administration of the Emergency Towing Vessel Contract.
- B. Upon notification of a vessel experiencing propulsion and/or steering problems by the COTP and receiving a request from the COTP for its services, release or directly dispatch the Emergency Towing Vessel to respond.
- C. Coordinate and consult with representatives of the Makah Tribal Council on all scheduled and emergency ETV operations.
- D. Coordinate all patrols, drills, and exercises with PSVTS and/or Tofino Traffic Center to ensure potential traffic management concerns are addressed.
- E. Maintain a summary of all ETV deployments for actual emergency responses.

6. MEASURES OF EFFECTIVENESS

Partnership Measures

- Percentage of times that ETV met response standard in situations for which CG COTP requested release of the Emergency Towing Vessel's services for response to incident meeting criteria for release.

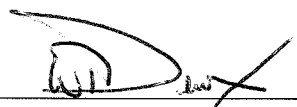
Environmental Protection/Prevention Measures

- Gallons of potential spilled oil averted (annually) as a result of direct positive ETV intervention (e.g., ETV took disabled vessel under tow).
- Total amount of oil (in gallons) carried on vessels assisted by ETV without direct positive intervention (e.g., ETV escorted or stood by vessel with reduced capability).

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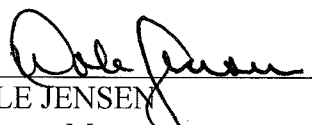
- Number of instances where ETV was the nearest, most suitable tug/Number of disabled vessel incidents for which CG COTP determined tug assist was appropriate, *and* a tug (ETV or other tug) response was timely executed.

7. APPROVAL



W. T. DEVEREAUX
Captain, U. S. Coast Guard
Thirteenth Coast Guard District
Chief, Prevention Division

DATE: 26 Jun 2007



DALE JENSEN
Program Manager
Spill Prevention, Preparedness, and
Response Program
Washington Department of Ecology

DATE: 6-26-07

